

#12
9/10/03
Docket No.: E3331.0514/P514
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Vladimir Neyman, et al.

Application No.: 09/603,389

Confirmation No.: 1098

Filed: June 23, 2000

Art Unit: 3624

For: COMPOUND ORDER HANDLING IN AN
ANONYMOUS TRADING SYSTEM

Examiner: S. Wasylichak

SUBMISSION OF ADDITIONAL FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants note that an additional claim fee of \$102.00 should have accompanied filing of the Preliminary Amendment on July 21, 2003. This additional fee was omitted due to a clerical error. Accordingly, transmitted herewith is a credit card form PTO-2038. Charge \$102.00 to the credit card as indicated.

No further extension of time is believed to be necessary. Should an additional extension of time and fee payment be required, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136 (a), to extend the time for submission by the number of months which will avoid abandonment under 37 C.F.R. § 1.135.

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0632
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE


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FEE TRANSMITTAL for FY 2003		Complete if Known	
Effective 01/01/2003, Patent fees are subject to annual revision.		Application Number	09/803,389-Conf. #1098
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	June 23, 2000
TOTAL AMOUNT OF PAYMENT (\$) 102.00		First Named Inventor	Vladimir Neyman
		Examiner Name	S. Wasylichak
		Art Unit	3624
		Attorney Docket No.	E3331.0514/P514

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account	<input type="checkbox"/> Money Order		
<input type="checkbox"/> Other	<input type="checkbox"/> None		
Deposit Account Number: 04-1073			
Deposit Account Name: Dickstein Shapiro Morin & Oshinsky LLP			
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<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			

FEE CALCULATION																													
1. BASIC FILING FEE																													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001 750</td> <td>2001 375</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 330</td> <td>2002 165</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 520</td> <td>2003 260</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 750</td> <td>2004 375</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005 160</td> <td>2005 80</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">SUBTOTAL (1)</td> <td>(\$)</td> <td>0.00</td> </tr> </tbody> </table>	Large Entity	Small Entity	Fee Description	Fee Paid	1001 750	2001 375	Utility filing fee		1002 330	2002 165	Design filing fee		1003 520	2003 260	Plant filing fee		1004 750	2004 375	Reissue filing fee		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1)		(\$)	0.00	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Stephen I. Weisburd/Michael Bergman	Registration No. (Attorney/Agent)	27,409 / 42,318
Signature		Telephone	(202) 785-9700
		Date	September 8, 2003

FAX TRANSMISSION**DICKSTEIN
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Atty Docket No.: E3331.0514/P514

Inventor: Vladimir Neyman, et al.Application No.: 09/603,389-Conf. #1098 Filing Date: June 23, 2000
Title: COMPOUND ORDER HANDLING IN AN ANONYMOUS TRADING SYSTEM**Documents Filed:**

Submission of Additional Fee (2 page)

Fee Transmittal (1 page)

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E3879.0014/P014

Atty Docket No.: E3879.0014/P014

Inventor: Vladimir Neyman, et al.

Application No.: 09/603,389-Conf. #1098

Filing Date: June 23, 2000

Title: COMPOUND ORDER HANDLING IN AN ANONYMOUS TRADING SYSTEM

Documents Filed:

Amendment Transmittal (1 page)

First Preliminary Amendment (20 pages)



Via:

Sender's Initials: SIW/MB/bh

Date: July 21, 2003

PTO-2038 (02-2000)

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Description of Request and Payment Information: Extension for response within second month; Request for continued examination (RCE)			
Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/603,389	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. E3331.0514/P514		Identify or Describe Mark	

1637330-1; 2208011.DOC

PTO/SB/17 (05-03)

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late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1063	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1806	1,840*	1806	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month	410.00	1263	890	2263	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1265	1,970	2265	985	Extension for reply within fifth month		1401	320	2401	180	Notice of Appeal		1402	320	2402	180	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,610	1451	1,610	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1808	180	1808	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	760	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)	760.00	1802	900	1802	900	Request for expedited examination of a design application	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Stephen I. Weissburg Michael Bergman	Registration No. (Attorney/Agent)	27,409 / 42,318
Signature		Telephone	(202) 785-9700
		Date	July 11, 2003

PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0661-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/603,389-Conf. #1098
	Filing Date	June 23, 2000
	First Named Inventor	Vladimir Neyman
	Art Unit	3624
	Examiner Name	S. Wasylchak
	Attorney Docket No.	E3331.0514/P514

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other Petition for Extension of Time

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1073


i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Steven I. Weisburd / Michael Bergman	Registration No. (Attorney/Agent)	27,409 (42,318)
Signature		Date	July 11, 2003

PTO/SB/22 (05-03)

Approved for use through 4/30/2003. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket No. (Optional)

E3331.0514/P514

COPY

In re Application of Vladimir Neyman, et al.

Application Number
09/603,389Filed
June 23, 2000For: COMPOUND ORDER HANDLING IN AN ANONYMOUS
TRADING SYSTEM

Art Unit 3624

Examiner S. Wasylchak

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☐ One month (37 CFR 1.17(a)(1)) \$
- ☒ Two months (37 CFR 1.17(a)(2)) \$ 410.00
- ☐ Three months (37 CFR 1.17(a)(3)) \$
- ☐ Four months (37 CFR 1.17(a)(4)) \$
- ☐ Five months (37 CFR 1.17(a)(5)) \$
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$
- ☐ A check in the amount of the fee is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 04-1073

I have enclosed a duplicate copy of this sheet.

- I am the ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☐ attorney or agent of record.
- ☒ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a)

27,408 / 42,318

July 11, 2003
Date

Signature

(202) 785-9700
Telephone NumberSteven I. Weisburd / Michael Bergman
Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below

☐ Total of 1 forms are submitted.

COPY

Atty Docket No.: E3331.0514/P514

Inventor: Vladimir Neyman, et al.

Application No.: 09/603,389-Conf. #1098 Filing Date: June 23, 2000
Title: COMPOUND ORDER HANDLING IN AN ANONYMOUS TRADING SYSTEM

Documents Filed:

Two Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Request for Continued Examination Transmittal (1 page)

Fee Transmittal (1 page)

Payment by credit card. Form PTO-2038 is attached (1 page)

Charge \$1,160.00 to credit card



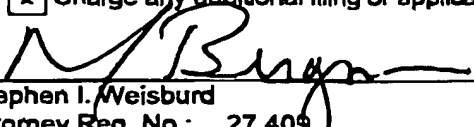
Via:

Sender's Initials: SIW/MB/jmr

Date: July 11, 2003

LmS

COPY

AMENDMENT TRANSMITTAL LETTER			Docket No. E3879.0014/P014 E3331.0514/P514		
Application No. 09/603,388-Conf. #1098	Filing Date June 23, 2000	Examiner S. Wasylchak	Art Unit 3624		
Applicant(s): Vladimir Neyman, et al.					
Invention: COMPOUND ORDER HANDLING IN AN ANONYMOUS TRADING SYSTEM					
TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	51	- 67 =		x	0.00
Independent Claims	9	- 11 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Request for Continued Examination (RCE)					0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					\$0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____ A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1073</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Stephen I. Weisburd Attorney Reg. No.: 27,409 Michael Bergman Attorney Reg. No.: 42,318 DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L Street NW Washington, DC 20037-1526 (212) 898-5470				Dated: <u>July 21, 2003</u>	

FAX TRANSMISSION**DICKSTEIN
SHAPIRO
MORIN &
OSHINSKY
LP****DATE:** September 9, 2003**CLIENT NO.:** E3331.0514/**MESSAGE TO:** Examiner S. Wasylchak**COMPANY:** U.S. Patent and Trademark Office**FAX NUMBER:** 703-308-3687**PHONE:** _____**FROM:** Michael Bergman**PHONE:** 202-785-9700**PAGES (Including Cover Sheet):** 29 **HARD COPY TO FOLLOW:** YES X **NO**

SENT BY:		DATE/TIME:	
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MESSAGE:Atty Docket No.: **E3331.0514/P514****Inventor:** Vladimir Neyman, et al.**Application No.:** 09/603,389-Conf. #1098 **Filing Date:** June 23, 2000
Title: COMPOUND ORDER HANDLING IN AN ANONYMOUS TRADING SYSTEM**Documents Filed:**Supplemental Submission of Request for Continued Examination and Preliminary Amendment
(28 pages)**CERTIFICATE OF TRANSMISSION**

I hereby certify that this
correspondence is being facsimile
transmitted to the U.S. Patent and
Trademark Office, Fax No 703-308-3687
on 9 Sept 2003.

Michael Bergman
Michael Bergman, Reg. No. 42,318**Via:** Facsimile**Sender's Initials:** SIW/MB/jmr**Date:** September 9, 2003

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Application No. 09/803,389	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. E3331.0514/P514		Identify or Describe Mark	

Application No.: 09/603,389

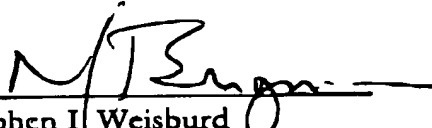
Docket No.: E3331.0514/P514

Any further fee required under 37 C.F.R. § 1.17 is hereby authorized to be charged to Deposit Account Number 04-1073 under Order Number E3331.0514/P514. Any excess fees should be credited to the same account and order number.

Dated: September 8, 2003

Respectfully submitted,

By


Stephen I. Weisburd

Registration No.: 27,409

Michael Bergman

Registration No.: 42,318

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Washington, DC 20037-1526

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Attorney for Applicant

Docket No.: E3331.0514/P514
(PATENT)

#17/11
on
[Signature]
J.C.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Vladimir Neyman, et al.

Application No.: 09/603,389

Confirmation No.: 1098

Filed: June 23, 2000

Art Unit: 3624

For: COMPOUND ORDER HANDLING IN AN
ANONYMOUS TRADING SYSTEM

Examiner: S. Wasylchak

**SUPPLEMENTAL SUBMISSION OF REQUEST FOR CONTINUED
EXAMINATION AND PRELIMINARY AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Examiner's request in a telephone conversation held on September 2, 2003 applicant herewith submits a copy of a Request for Continued Examination originally filed on July 11, 2003 in the above-captioned matter. Also submitted is a copy of a Preliminary Amendment originally filed on July 21, 2003. All corresponding submission papers are included, including respective receipt postcards each bearing the official date stamp of the United States Patent and Trademark Office.

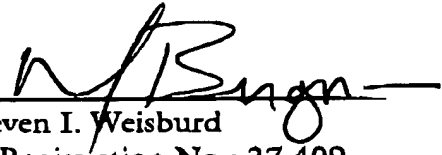
Application No.: 09/603,389

Docket No.: E3331.0514/P514

All claims in the application are now believed to be in immediate condition for allowance. Accordingly, prompt passage of the application to issue is earnestly solicited.

Dated: 08 SEP 2003

Respectfully submitted,

By 
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Registration No.: 42,318
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Washington, DC 20037-1526
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Attorneys for Applicant

Docket No.: E3879.0014/P014
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Vladimir Neyman, et al.

Application No.: 09/603,389

Group Art Unit: 3624

Filed: June 23, 2000

Examiner: S. Wasylchak

For: COMPOUND ORDER HANDLING IN AN
ANONYMOUS TRADING SYSTEM

FIRST PRELIMINARY AMENDMENT

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RCE

COPY

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S.
parent application as follows:

SUMMARY OF AMENDMENTS

SPECIFICATION

- ☒ There are no amendments to the specification.
☐ Marked up replacement(s) paragraphs are presented in a separate
section.

CLAIMS

- ☐ There are no amendments to the claims.
☒ A complete listing of all claims ever present in this case in
ascending order with status identifier is presented in a separate section.

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Docket No.: E3879.0014/P014

**COMPLETE LISTING OF CLAIMS IN ASCENDING ORDER WITH
STATUS INDICATOR**

1. (Currently amended) An anonymous trading system for trading fungible instruments between traders; comprising:

a communications network for transmitting electronic messages;

a plurality of order input devices connected to the communications network each for generating electronic order messages including bid and/or offer orders and for communication to a trader of price information received from others of said a plurality of trader terminals over the network;

at least one matching engine connected to the network for matching orders input into the system from the order input devices and for assisting in executing deals where prices are matched;

market distribution means connected to the network for distributing price messages to the trader terminals, the market distribution means being responsive to the price messages and the matching engine;

a plurality of order input device interface means, each order input device interface means having order input devices representing at least one trading floor connected thereto for communication of electronic order messages to the at least one matching engine and for communication of price messages and deal information messages to the connected trader terminals; wherein

the order input device interface means and the matching engine further comprise means for matching and executing a plurality of orders linked together, wherein all of said linked orders are either executed together or rejected together.

uses the term twice → *all of said orders which can be partial or same*

2. (Currently amended) An anonymous trading system according to claim 1 wherein the means for executing a plurality of linked orders comprises means at the matching engine for matching each of the orders comprising a plurality of linked orders, and means for rejecting the linked orders if less than all the orders comprising the linked order orders are matched.

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3. (Original) An anonymous trading system according to claims 1 or 2 wherein the electronic order messages are invisible hit orders.
4. (Original) An anonymous trading system according to claim 3 wherein the hit orders are persistent.
5. (Original) An anonymous trading system according to claim 1, comprising a plurality of matching engines, said plurality of matching engines including a taker matching engine connected to the order input device interface means to which the order input device submitting the linked order is connected, wherein the means for matching each of the orders comprising the plurality of linked orders is located at the taker matching engine.
6. (Original) An anonymous trading system according to claim 1, wherein the means for matching and executing a plurality of linked orders comprises means for generating and sending to the matching engine an instruction to match and execute a plurality of linked orders.
7. (Original) An anonymous trading system according to claim 6, wherein the means for generating and sending to the matching engine an instruction to match and execute a plurality of linked orders includes means for identifying each of the orders to be matched and means for indicating that the orders are linked.
8. (Original) An anonymous trading system according to claim 1, wherein the means for matching and executing a plurality of linked orders comprises, at the order input device interface means to which an order input device submitting a linked order is connected, means for receiving a message from the matching engine indicating that an order is executable and means for completing each of the orders comprising the plurality of linked orders when executable order messages have been received for each of the linked orders.

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9. (Original) An anonymous trading system according to claim 8, wherein the means for receiving executable order messages and for completing each order comprises means for adjusting the amount of one or more of said plurality of orders.

10. (Original) An anonymous trading system according to claim 8, wherein the means for completing each of the orders comprising the plurality of linked orders comprises means for simultaneously completing each of the linked orders.

11. (Original) An anonymous trading system according to claim 1, wherein the order input device interface means comprises means for converting a single order message input from a connected order input device into a plurality of linked orders.

12. (Original) An anonymous trading system according to claim 11, wherein the single order message input from a connected order input device comprises an order for a trade between a first and second currency pair and the order input device interface means converts the order into an order for a trade between the second and a third currency pair and a linked order for a trade between the first and the third currency pairs.

13. (Original) An anonymous trading system according to claim 1, comprising at least one broking node, each broking node comprising one of said at least one matching engines and a market distribution means.

14. (Original) An anonymous trading system according to claim 13, comprising a plurality of said broking nodes.

15. (Currently amended) An anonymous trading system for trading instruments between traders; comprising:

a plurality of order input devices;

A a network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are

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matched, and market distribution means for distributing price messages to order input devices;

a plurality of trading agents, each trading agent being connected to a broker and providing an interface between a trading floor of said order input devices and the broker to which the trading agent is connected, wherein;

at least one of said plurality of trading agents and the broker to which it is connected include means for matching and executing joint execution orders comprising a plurality of orders linked together, wherein all of said linked orders are either executed together or rejected together.

16. (Original) An anonymous trading system according to claim 15, wherein each of said plurality of brokers and connected trading agents comprise said means for matching and executing joint execution orders.

17. (Currently amended) An anonymous trading system according to claim 16, wherein said means for matching and executing joint execution orders includes, at each trading agent, means for converting a simple order for first transaction type input from a an order input device connected to the trading agent into a joint execution order for the second and third transaction type.

18. (Currently amended) An anonymous trading system according to claim 17, wherein said first transaction type is a first currency pair having first and second currencies, said second transaction type is a second currency pair comprising said first currency and a third currency and a third transaction type is a third currency pair comprising said second currency and said third currency.

19. (Currently amended) An anonymous trading system according to claim 15, wherein the means for matching joint execution orders comprises, at the broker, means for matching each order of the ~~compound~~ joint execution order and, if less than all of the orders can be matched, for rejecting the joint execution order.

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20. (Original) An anonymous trading system according to claim 15, wherein the joint execution orders are invisible hits.

21. (Original) An anonymous trading system according to claim 20, wherein the joint execution orders are persistent whereby the broker stores one or more orders of the joint execution order that cannot be matched immediately for a given time and attempts to match the stored orders with quotes subsequently entered into the system and passed to the broker.

22. (Original) An anonymous trading system according to claim 15, wherein the means for matching and executing joint execution orders comprises means at the trading agent for sending the broker a message instructing a joint execution order.

23. (Original) An anonymous trading system according to claim 15, wherein the means for matching and executing joint execution orders comprises means at the trading agent for receiving from the broker a message indicating that each of said orders comprising said joint execution order is executable and means for completing the joint execution order only when all orders in the joint execution order are executable.

24. (Original) An anonymous trading system according to claim 23, wherein an order is executable only after the trading agent has completed a credit check on the counterparty.

25. (Original) An anonymous trading system according to claim 23, wherein the means for matching and executing joint execution orders comprises means for adjusting the volume of each of the orders to correspond to the volume of the smallest executable order of the joint execution order.

26. (Previously presented) An anonymous trading system for trading instruments between traders, comprising:

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a plurality of order input devices;

a network of matching engines for matching orders comprising bids and offers and for assisting in executing deals where orders are matched;

a plurality of market distribution means for distributing bid and offer information to trader terminals, the market distribution means being responsive to the matching engine and to bids and offers entered into the system;

an interface between a trading floor comprising a number of said order input devices, and at least one of the plurality of market distribution means wherein:

at least one of said plurality of matching engines or market distribution means comprise means for matching and executing joint execution orders comprising a plurality of linked orders, and include means for rejecting a joint execution order if less than all the plurality of linked orders are executable.

27. (Original) An anonymous trading system according to claim 26, wherein said means for executing joint execution orders comprises means for reducing the volume of each of the orders of the plurality of linked orders to the volume of, or in proportion to the volume of, the smallest executable order.

28. (Original) An anonymous trading system according to claim 26, wherein each of said plurality of matching engines and connected trading agents comprise said means for matching and executing joint execution orders.

29. (Original) An anonymous trading system according to claim 28, wherein said means for matching and executing joint execution orders includes, at each of said plurality of trading agents, means for converting a simple order for a first transaction type input from a trader terminal connected to the trading agent into a joint execution order for a second and third transaction type.

30. (Currently amended) An anonymous trading system according to claim 29, wherein said first transaction type is a first currency pair having first and second currencies, said

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second transaction type is a second currency pair comprising said first currency and a third currency and the third transaction type is a third currency pair comprising said second currency and said third currency.

31. (Currently amended) An anonymous trading system for trading synthesized currency pairs between traders comprising;

- a plurality of order input devices;

- a network of matching engines, each matching engine matching bid and offer orders entered into the system and assisting in the execution of deals where bid and offer orders have been matched;

- market distribution means for distributing information relating to bid and offer orders in the system to the trader terminals;

- a plurality of trading agents, each of said plurality of trading agents being connected to one of the network of matching engines and providing an interface between a trading floor and said plurality of order input devices and the matching engine to which the trading agent is connected;

- means for synthesizing bid and offer orders for transactions between a pair of currencies having a first currency and a second currency from bid and offer orders entered into the system for transactions between a currency pair comprising the first currency and a third currency and bid and offer orders entered into the system for transactions between a currency pair comprising the second currency and the third currency;

- means at the matching engines and the trading agents connected thereto for matching and executing joint execution orders comprising a plurality of orders linked together wherein all of said linked orders are either executed together or rejected together, and wherein;

- the trading agents further include means for converting a bid or offer order in said synthetic currency pair into a joint execution order comprising an order in each of said currency pair comprising the first and third currency and said currency pair comprising the second and third currency.

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32. (Original) An anonymous trading system according to claim 31, wherein said bid or offer order in said synthetic currency pair is an invisible order.

33. (Original) An anonymous trading system according to claim 32, wherein said bid or offer order in said synthetic currency pair is a persistent order.

34. (Canceled)

35. (Previously presented) An anonymous trading system for trading instruments between traders, the system comprising:

a communications network;

a plurality of order input devices coupled to the communications network, each order input device effective to communicate with a respective trader and to generate electronic order messages in response thereto; and

at least one broker terminal coupled to a plurality of the order input devices, the broker terminal effective to execute deals between the traders;

wherein the broker terminal is effective to receive a first order from a first one of the order input devices, a second order from a second one of the order input devices, and the broker terminal performs only one of:

executes both the first and second order, and

rejects both the first and second order.

36. (Previously presented) The anonymous trading system as recited in claim 35, wherein:

the first order is a trade between first and second currency; and

the second order is a trade between second and third currency; whereby a synthesized trade is effected between the first and third currency.

37. (Currently amended) An anonymous trading system for trading instruments between traders, comprising:

a plurality of order input devices;

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a network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are matched;

market distribution means for distributing price messages to order input devices and an interface with a trading floor or order input devices; and

means for matching and executing joint execution orders comprising a plurality of orders linked together;

wherein all of said linked orders are either executed together or rejected together.

38. (Previously presented) An anonymous trading system according to claim 37, wherein said means for matching and executing joint execution orders includes means for converting a simple order for a first transaction type input from an order input device into a joint execution order for a second and third transaction type.

39. (Currently amended) An anonymous trading system according to claim 38, wherein said first transaction type is a first currency pair having first and second currencies, said second transaction type is a second currency pair comprising said first currency and a third currency and the third transaction type is a third currency pair comprising said second currency and said third currency.

40. (Currently amended) An anonymous trading system according to claim 37, wherein the means for matching joint execution orders comprises;

means at the broker, ~~means~~ for matching each order of the ~~compound joint~~ execution order and, if less than all of the orders can be matched, for rejecting the joint execution order.

41. (Previously presented) An anonymous trading system according to claim 37, wherein the joint execution orders are invisible hits.

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42. (Previously presented) An anonymous trading system according to claim 41, wherein the joint execution orders are persistent whereby the broker stores one or more orders of the joint execution order that cannot be matched immediately for a given time and attempts to match the stored orders with quotes subsequently entered into the system and passed to the broker.

43. (Previously presented) An anonymous trading system according to claim 37, wherein the means for matching and executing joint execution orders comprises means for sending to the broker a message instructing a joint execution order.

44. (Previously presented) An anonymous trading system according to claim 37, wherein the means for matching and executing joint execution orders comprises means for receiving from the broker a message indicating that each of said orders comprising said joint execution order is executable and means for completing the joint execution order only when all orders in the joint execution order are executable.

45. (Previously presented) An anonymous trading system according to claim 44, wherein an order is executable only after a credit check has been completed on a counterparty.

46. (Previously presented) An anonymous trading system according to claim 44, wherein the means for matching and executing joint execution orders comprises means for adjusting the volume of each of the orders to correspond to the volume of the smallest executable order of the joint execution order.

47. (Canceled)

48. (New) An anonymous trading system for trading instruments between traders; comprising:

a plurality of order input devices;

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a network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are matched, and market distribution means for distributing price messages to order input devices;

a plurality of trading agents, each trading agent being connected to a broker and providing an interface between a trading floor of said order input devices and the broker to which the trading agent is connected, wherein;

at least one of said plurality of trading agents and the broker to which it is connected include means for matching and executing joint execution orders comprising a plurality of orders linked together, wherein all of said linked orders must be either executed together or rejected together.

49. (New) An anonymous trading system for trading synthesized currency pairs between traders comprising;

a plurality of order input devices;

a network of matching engines, each matching engine matching bid and offer orders entered into the system and assisting in the execution of deals where bid and offer orders have been matched;

market distribution means for distributing information relating to bid and offer orders in the system to the order input devices;

a plurality of trading agents, each of said plurality of trading agents being connected to one of the network of matching engines and providing an interface between a trading floor and said plurality of order input devices and the matching engine to which the trading agent is connected;

means for synthesizing bid and offer orders for transactions between a pair of currencies having a first currency and a second currency from bid and offer orders entered into the system for transactions between a currency pair comprising the first currency and a third currency and bid and offer orders entered into the system for transactions between a currency pair comprising the second currency and the third currency;

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means at the matching engines and the trading agents connected thereto for matching and executing joint execution orders comprising a plurality of orders linked together wherein all of said linked orders must be either executed together or rejected together, and wherein;

the trading agents further include means for converting a bid or offer order in said synthetic currency pair into a joint execution order comprising an order in each of said currency pair comprising the first and third currency and said currency pair comprising the second and third currency.

50. (New) An anonymous trading system for trading instruments between traders, comprising:

a plurality of order input devices;

a network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are matched;

market distribution means for distributing price messages to order input devices and an interface with a trading floor or order input devices; and

means for matching and executing joint execution orders comprising a plurality of orders linked together;

wherein all of said linked orders must be either executed together or rejected together.

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CONTINGENT EXTENSION PETITION

If this communication is filed after the shortened statutory time period has elapsed and no separate Petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136 (a), to extend the time for filing a response to the outstanding Office Action, or any future communication filed in this application by this firm, by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account Number 04-1073 under Order Number E3331.0514/P514.

REMARKS/ARGUMENT

An RCE was filed in the above-captioned application on July 11, 2003. Claims 1-33 and 35-46 are pending. Claims 1, 15, 17, 18, 19, 30, 31, 39 and 40 have been amended to rectify obvious clerical and grammatical errors. These amendments do not narrow the scope of the claims.¹ Claim 37 has been amended, and new Claims 48-50 have been added, to more clearly define the invention.

Applicant thanks the Examiner for the courtesy of a personal interview conducted on July 10, 2003 with Examiner Wasylchak and Examiner Kazimi. During the interview, independent claims 1, 15, 26, 31, 35 and 37 were discussed in light of United States patent number 6,343,278 to Jain et al. (Jain). Applicant requests that this communication be considered in light of that interview and of the Request for Continued Examination filed on July 11, 2003.

¹ It should be noted that the change of the phrase "are either executed together or rejected" to "are either executed together or rejected together" does not change the scope of this limitation. Because the original language used the either/or terminology, the claim inherently required that the orders be rejected together. This amendment merely states explicitly that which was inherent in the original wording of the claims. This change is redundant, and for clarification purposes only.

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Claims 37-46

Claims 37-46 stand rejected under 35 U.S.C. § 102(e) over Jain. Among the limitations of these claims which are neither disclosed nor suggested in the art of record are the requirement that all of said linked orders "*are either executed together or rejected together,*" (emphasis added).

While Jain discloses a system for linking multiple orders together (for the purpose of having a total order limit ,e.g., \$20,000,000.00, for the group of linked orders), the matching engine of Jain does not execute or reject the individual orders as a group as required by claim 37. Quite to the contrary, Jain executes the linked orders one by one. That is, any single order of a linked group of orders from one trader can be matched with any single order of either an individual or linked group of orders from another trader. During the above noted interview, the examiners did not disagree with this proposition. Rather they noted that it was possible to more broadly construe the claim as only requiring that the trading system be *capable of accepting all orders* and therefore as anticipated by Jain.

Claim 37 cannot be read this broadly. To do so would render the term "either" in claim 37, line 11 meaningless and destroy the integrity of the claim. The term "either" is grammatically inseparable from the word "or" on the same line and has no meaning in its absence. In the construction of a patent claim, every word is significant. Therefore, no rejection should be based on a claim construction that renders a claim term meaningless. Consequently, the phrase "either executed together or rejected" should be read as an integral unit which requires that the grouped orders be either accepted together or rejected together. The claims have been amended to explicitly state this fact. However, this change merely states explicitly that which was inherent in the original claim language and therefore does not further narrow the claim.

Claims 38-46 each depend, directly or indirectly, from claim 37 and incorporate every limitation thereof. These claims recite additional limitations which, in combination with the limitations of claim 37, are neither disclosed nor suggested in the art of record. Accordingly, these claims are also believed to be in condition for allowance.

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Docket No.: E3879.0014/P014

Claims 1-33

Claims 1-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number 5,375,055 to Togher et al. (Togher) in view of Jain. The examiner's rejection on this ground is respectfully traversed.

Claims 1-15

The Office Action acknowledges that Togher does not teach the claim 1 limitations that "all of said linked orders are either executed together or rejected" To overcome this deficiency in Togher, the examiner relies on Jain as showing this feature. However, as noted above, Jain does not show this feature of the invention. Accordingly, even if one were to accept the propriety of combining the Togher and Jain references, the combination would still not teach or suggest the claimed invention. Therefore, the rejection of claim 1 under 35 U.S.C. § 103(a) over Togher in view of Jain should be withdrawn.

Claims 2 through 14 depend from claim 1 and include all of the limitations found therein. These claims further set forth additional limitations which, in combination with the limitations of claim 1, are neither disclosed nor suggested in the art of record. Accordingly, these claims are also believed to be directed towards patentable subject matter.

Claims 15-25

Like claim 1, independent claim 15 include the limitation that "all of said linked orders are either executed together or rejected together". For the reasons set forth with respect to claim 1, claim 15 is believed to be in condition for allowance.

Claims 16 through 25 depend from claim 15 and include all of the limitations found therein. These claims further set forth additional limitations which, in combination with the limitations of claim 15, are neither disclosed nor suggested in the art of record. Accordingly, these claims are also believed to be directed towards patentable subject matter.

Claims 26-30:

Among the limitations of claim 26 which are neither disclosed nor suggested in the art of record are "means for rejecting a joint execution order if less than all the plurality of linked orders are executable." The examiner asserts that this feature is shown in Jain and

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cites, at page 12 of the Office Action, several sections of Jain which allegedly support the examiner's contention. However, a careful reading of these sections (and, indeed, all of Jain) shows that while Jain will cancel a joint order when the value of that order falls below the minimal notional amount, it does not disclose rejecting a *joint execution order* if less than all of the linked orders are executable. A joint execution order is not the order placed on the system by the maker of a trader. Rather it is the order placed on the system by the taker of the trader (the second party accepting the order of the first party). There is no disclosure in Jain of such a *joint execution order* being rejected if less than all of the linked orders are executable.

Claims 27-30 depend from claim 26 and include all of the limitations contained therein. These claims recite additional limitations which, in combination with the limitations of claim 26, are neither disclosed nor suggested in the art of record. Accordingly, these claims are also believed to be in condition for allowance.

Claims 31-34:

Independent claim 31 requires that the "all of said linked orders are either executed together or rejected together". For the reasons set forth above with respect to claim 1, these claims are believed to be in condition for allowance.

Claims 16 through 25 depend from claim 31 and include all of the limitations found therein. These claims further set forth additional limitations which, in combination with the limitations of claim 31, are neither disclosed nor suggested in the art of record. Accordingly, these claims are also believed to be directed towards patentable subject matter.

Claims 35-36:

Claims 35 and 36 stand rejected under 35 U.S.C. § 103(a) over Jain in view of United States Patent Number 6,247,000 to Hawkins (Hawkins). Applicant respectfully traverses rejection.

Claims 35 recites "[a]n anonymous trading system... comprising... at least one broker terminal... wherein the broker terminal... performs only one of: executes both the first and second order, and rejects both the first and second order." The Office Action acknowledges that Jain does not teach the claim 35 limitation of "wherein the broker

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terminal... performs only one of: executes both the first and second order, and rejects both the first and second order." The combination of the Jain and Hawkins references is thus proposed in the Office Action in an attempt to remedy this deficiency.

The Office Action does not make out a prima facie case of obviousness. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure.

The Office Action does not identify, in the prior art, a motivation for the proposed combination of the Jain and Hawkins. Nor does it establish that such a combination could be made with a reasonable expectation of success. Finally, even taken together, Jain and Hawkins do not teach or suggest every limitation of the claimed invention.

The Hawkins references relates to a method system for confirmation and settlement for financial transactions matching. Hawkins indicates that "'Price type' is used to specify if the price is a discount or premium amount or another type of price." Column 26, lines 54-61. According to Hawkins, "'Price Limit' specifies the currency, price limit and code identifying the type of order. The field includes an ISO currency code, a price and a price limit code. 'Price-Limit-Codes' are codes used to buy or sell orders, and include the following: AON--all or none..." The mere recitation of the words "all or none" does not, however, teach or suggest the invention as claimed.

Indeed, nothing in Jain and Hawkins, taken alone or in combination, is sufficient to teach or suggest all claim 35 limitations including, "wherein the broker terminal... performs only one of: executes both the first and second order, and rejects both the first and second order." Accordingly, no prima facie case for the obviousness of claim 35 has been made out, and rejection under 103(a) of claim 35, and of claim 36 which depends therefrom, should be withdrawn.

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Claims 37-46:

Like claim 1, independent claim 37 includes the limitation that "all of said linked orders are either executed together or rejected together". For the reasons set forth with respect to claim 1, claim 37 is believed to be in condition for allowance.

Claims 38 through 46 depend from claim 37 and include all of the limitations found therein. These claims further set forth additional limitations which, in combination with the limitations of claim 37, are neither disclosed nor suggested in the art of record. Accordingly, these claims are also believed to be directed towards patentable subject matter.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. According, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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